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6                   **UNITED STATES DISTRICT COURT**  
7                   **DISTRICT OF NEVADA**

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9       WILBERT LESLIE,  
10              Petitioner,  
11       vs.  
12       E. K. MCDANIEL, et al.,  
13              Respondents.

Case No. 3:08-CV-00453-ECR-(VPC)  
**ORDER**

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15                  The Court denied Petitioner's Application to Proceed in Forma Pauperis (#2) and  
16 told Petitioner to pay the filing fee. Order (#3). Petitioner has not paid the fee within the allotted  
17 time, despite a letter (#4) from Petitioner indicating otherwise.

18                  IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice  
19 for Petitioner's failure to pay the filing fee. The Clerk of the Court shall enter judgment  
20 accordingly.

21                  DATED: October 7, 2008

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24                  EDWARD C. REED  
25                  United States District Judge

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